

**SUPREME COURT OF CALIFORNIA  
ORAL ARGUMENT CALENDAR  
SPECIAL SESSION — RIVERSIDE COUNTY  
OCTOBER 7 and 8, 2008**

The following cases are placed upon the calendar of the Supreme Court for oral argument at its Special Session at California State University San Bernardino, Palm Desert Campus — Indian Wells Theater, 37500 Cook Street, Palm Desert, California, on October 7 and 8, 2008.

**TUESDAY, OCTOBER 7, 2008 — 9:00 A.M.**

*Opening Remarks: Historic Special Session*

- |     |         |                              |
|-----|---------|------------------------------|
| (1) | S150038 | People v. Hernandez (George) |
| (2) | S149728 | In re Raymond C.             |

**1:30 P.M.**

- |     |         |   |
|-----|---------|---|
| (3) | S152360 | Van Horn v. Watson (Torti, Respondent)<br>( <i>consolidated cases</i> ) |
| (4) | S148204 | People v. Mentch (Roger)  |
| (5) | S054489 | People v. Doolin (Keith Zon) [Automatic Appeal]                         |

**WEDNESDAY, OCTOBER 8, 2008 — 9:00 A.M.**

- |     |         |  |
|-----|---------|--|
| (6) | S155094 | Episcopal Church Cases                             |
| (7) | S149303 | People v. Olguin (Alejandro)                       |
| (8) | S143087 | Club Members for an Honest Election v. Sierra Club |

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GEORGE  
*Chief Justice*

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)

**SUPREME COURT OF CALIFORNIA  
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The following case summaries are issued to inform the public and the press of cases that the Supreme Court has scheduled for oral argument and of their general subject matter. Generally, the descriptions set out below are reproduced from the original news release issued when review in each of these matters was granted and are provided for the convenience of the public and the press. The descriptions do not necessarily reflect the view of the court or define the specific issues that will be addressed by the court.

**TUESDAY, OCTOBER 7, 2008—9:00 A.M.**

***Opening Remarks: Historic Special Session***

**(1) *People v. Hernandez (George)*, S150038**

#07-106 *People v. Hernandez (George)*, S150038. (C051224, C051602; 146 Cal.App.4th 773; Superior Court of Sacramento County; 05F00765, 03F04161.) Review on the court's own motion after the Court of Appeal reversed a judgment of conviction of criminal offenses.

**(2) *In re Raymond C.*, S149728**

#07-105 *In re Raymond C.*, S149728. (C035822; 145 Cal.App.4th 1320; Superior Court of Orange County; DL020274.) Petition for review after the Court of Appeal affirmed orders in a wardship proceeding.

*Raymond C.* and *Hernandez* both present the following issue: If a police officer sees that a motor vehicle lacks a rear or both license plates, may the officer make a traffic stop to determine if the vehicle has a temporary permit or if a displayed temporary permit is a valid one?

**1:30 P.M.**

**(3) *Van Horn v. Watson (Torti, Respondent) (consolidated cases), S152360***

#07-211 Van Horn v. Watson (Torti, Respondent), S152360. (B188076, B189254; 148 Cal.App.4th 1013; Superior Court of Los Angeles County; PC034945.) Petition for review after the Court of Appeal reversed the judgment in a civil action. This case presents the following issue: Does the immunity provided by Health and Safety Code section 1799.102 for any person who “renders emergency care at the scene of an emergency” apply to a person who removed someone from a wrecked car because she feared it would burst into flames?

**(4) *People v. Mentch (Roger), S148204***

#07-15 People v. Mentch (Roger), S148204. (H028703; 143 Cal.App.4th 1461; Superior Court of Santa Cruz County; 07429.) Petition for review after the Court of Appeal reversed a judgment of conviction of criminal offenses. This case includes the following issues: (1) Should the trial court have instructed the jury, as requested, on the “primary caregiver” affirmative defense under the Compassionate Use Act (Health & Saf. Code, § 11362, subd. (e))? (2) If so, what is the standard of review for such instructional error? (3) Is the defendant’s burden to raise a reasonable doubt regarding the compassionate use defense a burden of producing evidence under Evidence Code section 110 or a burden of proof under Evidence Code section 115? (4) Should the trial court instruct the jury on the defendant’s burden to raise a reasonable doubt and, if so, how?

**(5) *People v. Doolin (Keith Zon), S054489 [Automatic Appeal]***

This matter is an automatic appeal from a judgment of death.

**WEDNESDAY, OCTOBER 8, 2008—9:00 A.M.**

**(6) *Episcopal Church Cases, S155094***

#07-392 Episcopal Church Cases, S155094. (G036096, G036408, G036868; 152 Cal.App.4th 808; Superior Court of Orange County; JCCP No. 4392.) Petition for

review after the Court of Appeal reversed the judgment in a civil action. This case includes the following issues: (1) Should the “principle of government” approach, also known as the “highest church judicatory” approach, be used to resolve disputes between a local congregation and a national church or regional diocese over ownership of church property, or should these disputes be resolved using a “neutral principles analysis”? (2) Was the complaint properly subject to a motion to strike under Code of Civil Procedure section 425.16? (3) What role does Corporations Code section 9142 play in the analysis and resolution of church property disputes?

**(7) *People v. Olguin (Alejandro)*, S149303**

#07-108 *People v. Olguin (Alejandro)*, S149303. (E039342; nonpublished opinion; Superior Court of San Bernardino County; FSB051759.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. This case presents the following issue: May a trial court impose a condition of probation requiring a probationer to notify his or her probation officer of any pet the probationer keeps?

**(8) *Club Members For an Honest Election v. Sierra Club*, S143087**

#06-69 *Club Members For an Honest Election v. Sierra Club*, S143087. (A110069; 137 Cal.App.4th 1166; Superior Court of San Francisco County; 429277.) Petition for review after the Court of Appeal affirmed an order granting in part and denying in part a special motion to strike in a civil action. This case includes the following issue: Can the exception to the anti-SLAPP statute (Code Civ. Proc., § 425.16) for actions “brought solely in the public interest or on behalf of the general public” (Code Civ. Proc., § 425.17, subd. (b)) apply to a complaint that includes any claim for personal relief?